

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

MARTÍN JONATHAN BATALLA VIDAL,
ANTONIO ALARCON, ELIANA FERNANDEZ,
CARLOS VARGAS, MARIANO MONDRAGON,
and CAROLINA FUNG FENG, on behalf of
themselves and all other similarly situated
individuals, and MAKE THE ROAD NEW YORK,
on behalf of itself, its members, its clients, and all
similarly situated individuals,

Plaintiffs,

v.

No. 1:16-cv-04756 (NGG) (JO)

ELAINE C. DUKE, Acting Secretary, Department
of Homeland Security, JEFFERSON
BEAUREGARD SESSIONS III, Attorney
General of the United States, and DONALD J.
TRUMP, President of the United States,

Defendants.

DECLARATION

I, Kate Bailey, make the following Declaration pursuant to 28 U.S.C. § 1746, and state that under the penalty of perjury the following is true and correct:

1. As of October 28, 2019, I will no longer be employed by the Federal Programs Branch of the Department of Justice's Civil Division. All of my case responsibilities have been, or are being, transferred to other attorneys within the Branch. In my new position, I will no longer work on defensive civil litigation on behalf of the United States.
2. Review of this Court's Preliminary Injunction is currently pending before the U.S. Supreme Court, with a decision expected sometime later this term.
3. Given the posture of this case and the availability of other trial counsel, my withdrawal will not impact the case should it return to this Court after appellate review.

Dated: October 11, 2019



Kate Bailey